

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:05CR536
)	
Plaintiff,)	JUDGE PATRICIA A. GAUGHAN
)	
v.)	GOVERNMENT'S EMERGENCY
)	MOTION FOR BAIL PENDING
GENEVA FRANCE,)	<u>APPEAL</u>
)	
Defendant.)	

Now comes the United States of America, by and through its counsel, Gregory A. White, United States Attorney, and Blas E. Serrano, Assistant United States Attorney, and requests this Court to grant the defendant forthwith bond pending appeal under Title 18, United States Code, Section 3143(b). Even though this case is on appeal to the U.S. Court of Appeals for the Sixth Circuit, this court retains jurisdiction over bail matters under United States v. Krzyske, 857 F.2d 1089 (6th Cir. 1988). The reason for the government's motion is that the government has received newly discovered evidence which calls into question the validity of the adjudication of guilt. Under these

circumstances, the government is firmly convinced that this defendant should not remain incarcerated while the newly discovered evidence is examined. Accordingly, the government requests the court to issue an order releasing the defendant on bond pending appeal forthwith. The government has no objection to the defendant being released on an unsecured bond subject to her later appearing before the office of pre-trial services to execute appropriate paperwork at a later time.

Respectfully submitted,

GREGORY A. WHITE
United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of June 2007, a copy of the foregoing Government's Emergency Motion for Bail was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's system.

s/ Blas E. Serrano
Blas E. Serrano
Assistant U.S. Attorney